

FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE (REV 10-98)		ATTORNEY'S DOCKET NUMBER MIJ-001US
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C.371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 09/297,652
INTERNATIONAL APPLICATION PCT/AU97/00747	INTERNATIONAL FILING DATE 04 November 1997 (04.11.97)	PRIORITY DATE CLAIMED 04 November 1996 (04.11.96)
TITLE OF INVENTION SYNERGISTIC GOLD-CONTAINING COMPOSITIONS		
APPLICANT(S) FOR DO/EO/US Richard Edward THOMAS		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C.371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371 (f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371 (b) and PCT Articles 22 and 39(1). 4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date. 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C 371(c)(2)). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (Executed) (3 sheets); 10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 		
Items 11. to 16. below concern document(s) or information included:		
<ol style="list-style-type: none"> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included 13. <input type="checkbox"/> A FIRST preliminary amendment <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 14. <input type="checkbox"/> A substitute specification. 15. <input type="checkbox"/> A change of power of attorney and/or address letter. 16. <input checked="" type="checkbox"/> Other items or information: Executed Verified Statement (Declaration) Claiming Small Entity Status (1 sheet); Copy of PCT/DO/EO/917 (2 sheets); Certificate of Express Mailing (1 sheet); Check in the amount of \$65 (representing surcharge based on small entity); and Return Postcard. 		

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO. PCT/AU97/00747		ATTORNEY'S DOCKET NO. MIJ-001US	
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17. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) .(a/o November 1, 1998): Search Report has been prepared by the EPO or JPO.....\$ International preliminary examination fee paid to USPTO (37 CFR 1.482).....\$ No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)).....\$ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$ International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4).....\$ <div style="text-align: center;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div>				CALCULATIONS PTO USE ONLY <div style="display: flex; justify-content: space-between;"> \$ </div>	
Surcharge of \$130 for furnishing the oath or declaration later than 20 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$---130	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	-20 =		X \$		
Independent claims	-3 =	0	X \$	\$---	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+	\$---	
TOTAL OF ABOVE CALCULATIONS =				\$130	
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (Enclosed)				\$65	
SUBTOTAL =				\$65	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$---	
TOTAL NATIONAL FEE =				\$65	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
TOTAL FEES ENCLOSED =				\$65	
				Amount to be: refunded	\$
				charged	\$

- a. ☒ A check in the amount of \$ 65 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 12-0080. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Jane E. Remillard, Esq
LAHIVE & COCKFIELD, LLP
28 State Street
Boston, Massachusetts 02109
United States of America
(617) 227-7400

SIGNATURE

NAME

REGISTRATION NUMBER



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

09/297,652

U.S. APPLICATION NO. 09/297,652 FIRST NAMED APPLICANT THOMAS R ATTY. DOCKET NO. MIJ-001US

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5611

INTERNATIONAL APPLICATION NO.

PCT/AU97/00747

I.A. FILING DATE

PRIORITY DATE

11/04/97

11/04/96

DATE MAILED:

06/14/99

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494), ☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

☐ a non-English language.

☒ English.

☐ Translation of the international application into English.

☒ Oath or Declaration of inventors(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☒ The International Preliminary Examination Report in English and its Annexes, if any.

☒ Translation of Annexes to the International Preliminary Examination Report into English.

☒ Preliminary amendment(s) filed 04 May 1999 and _____

☒ Information Disclosure Statement(s) filed 04 May 1999 and _____

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed _____

☐ Statement Claiming Small Entity Status.

☒ Priority Document.

☒ Copy of the International Search Report ☒ and copies of the references cited therein.

☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.

☒ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice *MUST* be returned with this response.

Enclosed: ☒ PCT/DO/EO/917 ☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Telephone: (703)

#3

IN THE UNITED STATES PATENT DESIGNATED OFFICE (DO/US)
(National Phase of International App.: PCT/AU97/00747)

412 Rec'd PCT/PTO 08 JUL 1999

In re the
application of: **Richard Edward THOMAS**

International Application No.: **PCT/AU97/00747**

International Filing Date: **04 November 1997**

U.S. Serial No.: **09/297,652**

Filed: **May 4, 1999**

For: **SYNERGISTIC GOLD-CONTAINING
COMPOSITIONS**

Attorney Docket No.: **MIJ-001US**

Assistant Commissioner for Patents
BOX PCT
Washington, D.C. 20231

Certification Under 37 CFR 1.10

I hereby certify that the attached:

Transmittal Letter (2 sheets in duplicate); Executed Declaration, Petition and Power of Attorney (3 sheets); Executed Verified Statement (Declaration) Claiming Small Entity Status (1 sheet); Copy of PCT/DO/EO/917 (2 sheets); Certificate of Express Mailing (1 sheet); Check in the amount of \$65 (Surcharge Fee); and Return Postcard are being deposited by me with the United States Postal Service "Express Mail Post Office to Addressee" service, Mailing Label No. **EL095524093 US**, under 37 CFR 1.10 on the date indicated below and is addressed to the Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231.

Date: July 8, 1999

Name: Nelson F. Barros

Signature: Nelson Barros